

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
TRIAL**

CASE NO.: 1:18-cr-00010-001
1:18-cr-00010-006

DATE: May 26, 2022

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Emily Brown

Court Reporter: Veronica Flores

Courtroom Deputy: Carmen B. Santos

Hearing Times: 8:21 - 9:54

10:17 - 11:56

1:04 - 2:03

2:19 - 3:01

3:33 - 4:05

APPEARANCES:

Defendant: John D. Walker
Hansen Helicopters

Attorney: Mack K. Martin
Edward A. McConwell, Laura L.
McConwell and Edward C. Han

☒ Present ☐ Custody ☐ Bond ☐ P.R.

☒ Present ☒ Retained ☐ FPD ☐ CJA

U.S. Attorney: Stephen Leon Guerrero
Marie L. Miller
Samantha R. Miller

PROCEEDINGS: Jury Trial - Day 19

- Witnesses sworn and examined; exhibits marked and admitted - see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).
- Defendant Walker moves for mistrial. To be argued at a later date.
- Trial continued to: May 27, 2022 at 8:15 AM

NOTES:

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

UNITED STATES OF AMERICA

EXHIBIT AND WITNESS LIST

vs.

John D. Walker and Hansen Helicopters

CRIMINAL CASE NO. 18-00010

PRESIDING JUDGE						PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEYS
Frances Tydingco-Gatewood						Stephen Leon Guerrero Marie Miller Samantha Miller	Mack K. Martin, Edward A. McConwell, Sr., Laura L. McConwell, Edward C. Han
TRIAL DATE(S)						COURT REPORTER	COURTROOM DEPUTY
May 26, 2022						Veronica F. Flores	Carmen Santos
JOINT	PLF. NO.	DEF NO.	DATE IDENTIFIED OFFERED	OBJECTION	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
						8:21 – Call to Order; brief discussion re summary charts. Court urges parties to work together re Chart designated as G-3035	
						8:22 - Mr. Timothy Cislo called; court addresses Mr. Cislo re presence of counsel. 8:25 – Jurors seated; Timothy J. Cislo , sworn; Continued DX of Mr. Cislo by Ms. M. Miller	
	G-2957B		5/11/22	x		White Log Books (physical evidence) (Prozik)	
	G-0228-14		5/11/22			Investigative Report by FAA re: N243D (Prozik)	
	G-0242-6		5/12/22		5/12/22	FAA Message re: Deregistration N243D and various attachments pertaining to helo (Prozik)	
	G-0242-44		5/12/22	x	5/12/22	FAA Message re: Deregistration N243D and various attachments pertaining to helo (Prozik)	
	G-0242-10		5/12/22		5/12/22	FAA Message re: Deregistration N243D and various attachments pertaining to helo (Prozik)	
	G-1843-7		5/16/22	X	5/16/22	Photos and docs from Michael Shultz 302 SN298 2019-08-13 (Prozik)	
						8:45 – Jurors recessed; discussion outside the presence of the jurors. 8:58 – Jurors seated; Continued DX of Mr. Cislo by Ms. M. Miller	
	G-0455-40		5/12/22		5/12/22	GJ testimony Joshua Kipp dated 07/12/2017 (Prozik)	
	G-0455-41		5/12/22		5/12/22	GJ testimony Joshua Kipp dated 07/12/2017 (Prozik)	
	G-2104		5/17/22	X	5/17/22	N243D Gray and Black N9068F Red and White Guam Yard (Prozik)	

JOINT	PLF. NO.	DEF NO.	DATE IDENTIFIED OFFERED	OBJECTION	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES
	G-1220		5/26/22	X	5/26/22	Follow up comm between Crowe and Cislo (Cislo)
	G-0687		5/26/22	X	5/26/22	Email dated 10/31/2012 from Cislo to Crowe re: Issuing N243D a temporary registration and discussing 20 or more aircraft that have issues (Cislo)
	G-1222		5/26/22	X	5/26/22	Formal request from Crowe to Cislo (Cislo)
	G-1221		5/26/22	X	5/26/22	Formal request from Crowe to Cislo (Cislo)
	G-0256		5/26/22	X	5/26/22	FAA Letter dated 10/31/2012 re: issuing replacement FAA Form 8100-2 for N345SD signed by Cislo (Cislo)
	G-2900-3155-3160		5/26/22	X		PDF of contracts (Cislo)
						9:38 – Jurors recess 9:39 - 9:54 - Discussion outside the presence of the jurors re objections to G-2900-3155 to 3160 9:54 – 10:17 – Recess 10:18 – Witness Mr. Cislo seated; Jurors seated; Continued DX of Mr. Cislo by Ms. M. Miller
	G-2900-3155-3160		5/26/22	X	5/26/22	PDF of contracts (Cislo)
	G-2900-3154		5/26/22	X	5/26/22	PDF of contracts (Cislo)
	G-1001-45-46		5/26/22	X	5/26/22	N243D Evidence (2 pp) (Cislo)
	G-0295		5/26/22	X	5/26/22	Letter to Aviation Safety Inspector from Crowe regarding N243D, N471M, N345SD, and N9068F dated 05/19/2015 (Cislo)
	G-0382		5/26/22		5/26/22	FAA letter to Walker from Aviation Safety Inspector re: Reinspection of N243D (Cislo)
	G-0311		5/13/22	X	5/26/22	Letter to Aviation Safety Inspector from Crowe re: N243D, N345SD, N471M, N9068F and N9162F (Prozik) (Cislo)
	G-0369		5/26/22	X	5/26/22	Letter to Assistant Chief Counsel from Crowe re: Enclosed Airworthiness Certificates for N243D, N471M, and N345SD (Cislo)
		D-115-10	5/13/22		5/13/22	Monthly Hours Helicopter Flown by Helicopter/Boat (Prozik)
	G-2900-3154		5/26/22	X	5/26/22	PDF of contracts (Cislo)
	G-0672		5/13/22	X	5/13/22	Email dated 12/21/2015 from Kapp to Jeff re: Sending the numbers and tags for N243D, RPC588, N345SD, N911GP, N471M, N907HH (Prozik)
	G-0242-40		5/26/22	X	5/26/22	FAA Message re: Deregistration N243D and various attachments pertaining to helo
	G-2485		5/13/22		5/13/22	N243D fuselage photo in GA 2016 1-3 (Prozik)

JOINT	PLF. NO.	DEF NO.	DATE IDENTIFIED OFFERED	OBJECTION	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES
						11:42 – Jurors recessed for lunch 11:42 – 11:57 – Motion for Mistrial by Defendant Walker; briefly discussed. Argument to be set at a later date. 11:57 – 1:00 - Lunch recess
						1:04 – Continued discussion outside the presence of the jury re summary witness
						1:15 – Witness Mr. Cislo seated; jurors seated; Continued DX of Mr. Cislo by Ms. M. Miller
	G-0699 – 1 thru 36		5/26/22	X	5/26/22	Email dated 02/13/2015 from Cislo to Crowe re: Having Crowe review Cislo's attached Word document and needing logbook entries from each helicopter (Cislo)
	G-0337		5/26/22	X	5/26/22	Fax Cover to FAA from Crowe dated 02/20/2018 re: cancel the registration for N243D (Cislo)
		D-115-10	5/13/22		5/13/22	Monthly Hours Helicopter Flown by Helicopter/Boat (Prozik)
	G-2957B		5/11/22	x	5/26/22	White Log Books (physical evidence) (Prozik) Admitted as to Hansen Helicopters (
	G-2972		5/13/22	x	5/13/22	(Prozik)
	G-0592		5/26/22	X	5/26/22	Email dated 02/12/2013 from Crowe to Cislo re: Requesting replacement Certificate of Airworthiness for N9068F and Crowe finding original certificate (Cislo)
	G-2957B		5/11/22	x		White Log Books (physical evidence) (Prozik) (admitted as to Mr. Walker / objection as to completeness pending as to Hansen Helicopters
						2:03 – 2:18 – Recess
						2:20 – 2:26 – Brief housekeeping discussions
						2:26 - – Witness Mr. Cislo seated; Jurors seated; Continued DX of Mr. Cislo by Ms. M. Miller
	G-0422		5/26/22	X	5/26/22	Email FWD from Crowe to Kapp re: Cislo's decision on a Cessna 206 (Cislo)
	G-282-15		5/26/22	X	5/26/22	Proffer Agreement with Cislo (Cislo)
	G-860		5/26/22	X	5/26/22	Kitty email Crowe to Walker (Cislo)
	G-282-16		5/26/22		5/26/22	Proffer Agreement with Cislo (Cislo)
	G-1406-63 and 64		5/26/22	X	5/26/22	EIR N471M (Cislo)
	G-304		5/26/22	X	5/26/22	Cislo Plea Agreement
						3:00 – 3:34 – Recess
						3:34 – 3:38 – Discussion outside the presence of the jurors. 3:38 – Witness Mr. Cislo seated; jurors seated; DX of Mr. Cislo by Mr. McConwell
	G-0242-40		5/26/22	X	5/26/22	FAA Message re: Deregistration N243D and various attachments pertaining to helo
	G-2957B		5/11/22		5/26/22	White Log Books (physical evidence) (Prozik) Admitted through Cislo

JOINT	PLF. NO.	DEF NO.	DATE IDENTIFIED OFFERED	OBJECTION	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES
						4:02 – All parties instructed to report in the morning to begin by 8:15 AM
						4:05 – Adjourned.